

JG10 Rec'd PCT/PTO 23 MAY 2005 PCT #4

PATENT
ATTORNEY DOCKET NO.: 045636-5081**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Jean FIORAMONTI et al.

U.S. Application No.: 10/509,255

International Appln. Filing Date: March 21, 2003

Date of National Stage Entry: September 28, 2004

For: USE OF LACTOBACILLUS FARCIMINIS FOR THE PREVENTION OR TREATMENT OF
DIGESTIVE PATHOLOGIESCommissioner of Patents
MAIL STOP PCT**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed April 15, 2005. A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.
2. Declaration Or Oath
☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
3. Fee Calculation

Basic Fee: PCT Application \$920.00				Previously Paid
	Number Filed	Number Extra	at a Rate of	
Total Claims	13-20	0	\$50.00 each	\$0.00
Independent Claims	2-3	0	\$200.00 each	\$0.00
Multiple Dependent claims(s), if any			\$360.00	\$0.00
Missing Requirements Surcharge Fee			\$130.00	\$130.00
SUB-TOTAL				\$130.00
Fee for Application Filed With a Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	\$0.00
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	\$0.00
TOTAL FILING FEE				\$130.00

4. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. Fee Payment

The total fee due is:


Completion Fees	<u>\$130.00</u>
Assignment Fees	<u>\$0.00</u>
Total Fee Due	<u>\$130.00</u>

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


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Date: May 23, 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Eileen

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,255	Jean Fioramonti	045636-5081

INTERNATIONAL APPLICATION NO.

PCT/FR03/00903

I.A. FILING DATE	PRIORITY DATE
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03/21/2003

03/28/2002

09629

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WASHINGTON, DC 20004

CONFIRMATION NO. 1258
371 FORMALITIES LETTER
OC000000015729003
OC000000015729003

Date Mailed: 04/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/28/2004
- English Translation of the IA filed on 09/28/2004
- Copy of the International Search Report filed on 09/28/2004
- Copy of IPE Report filed on 09/28/2004
- Preliminary Amendments filed on 09/28/2004
- U.S. Basic National Fees filed on 09/28/2004
- Priority Documents filed on 09/28/2004

Docketed 4/20/05 Attorney ECW
Case 45636-5081
Due Date 6/15/05
Action Missive Rec.
By LF Chk BR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE
RECEIVED NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

APR 20 2005

MORGAN, LEWIS & BOCKIUS LLP

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,255	PCT/FR03/00903	045636-5081

FORM PCT/DO/EO/905 (371 Formalities Notice)